

BILL NO. 88-25

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 88-25

Introduced by Council President Hardwicke at the request
of the County Executive

Legislative Day No. 88-14 Date May 10, 1988

AN EMERGENCY ACT to repeal and re-enact, with amendments, Section II, heading, Definitions, Section III, heading, Subdivision Control, Section 4.03 of Section IV, heading, Requirements for the Subdivision of Land, Section V, heading, The Preliminary Subdivision Plan, and Section 6.05 of Section VI, heading, the Final Subdivision Plat; to repeal and re-enact, without amendments, Sections 4.01 and 4.02 of Section IV, heading, Requirements for the Subdivision of Land; to add new Sections 4.011 and 4.04 to Section IV, heading, Requirements for the Subdivision of Land; to add new Subsections 6.01(13), (14), and (15) to Section VI, The Final Subdivision Plat, and to renumber Section 4.04 of Section IV, heading, Requirements for the Subdivision of Land, to be Section 4.041, all of the Subdivision Regulations for Harford County, Maryland; to provide that County law be consistent with State Chesapeake Bay Critical Areas laws and regulations.
By the Council, May 10, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: June 9, 1988

at: 7:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on June 9, 1988

and concluded on June 9, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

88-25
BILL NO. _____

1 Section 1. Be It Enacted By The County Council of Harford County,
2 Maryland, that Section II, heading, Definitions, Section III,
3 heading, Subdivision Control, Section 4.03, of Section IV,
4 heading, Requirements for the Subdivision of Land, Section V,
5 heading, The Preliminary Subdivision Plan, and Section 6.05, of
6 Section VI, heading, The Final Subdivision Plat, be, and they are
7 hereby repealed and re-enacted, with amendments, that Sections
8 4.01 and 4.02, of Section IV, Requirements for the Subdivision of
9 Land, be, and they are hereby, repealed and re-enacted, without
10 amendments, that new Sections 4.011 and 4.04, be, and they are
11 hereby added to Section IV, heading, Requirements for the
12 Subdivision of Land, that Subsections 6.01(13), 6.01(14), and
13 6.01(15), be, and they are hereby added to Section VI, The Final
14 Subdivision Plat, and that Section 4.04, of Section IV, heading,
15 Requirements for the Subdivision of Land, be, and it is hereby
16 renumbered to be Section 4.011, all of the Subdivision Regulations
17 for Harford County, Maryland, and all to read as follows:

18 Section II

19 Definitions

20 The following definitions represent the meaning of terms as
21 used in these regulations:

22 2.00 - AFFORESTATION. THE ESTABLISHMENT OF TREE COVER IN AN
23 AREA FROM WHICH IT HAS ALWAYS OR FOR AT LEAST TWENTY (20) YEARS
24 BEEN ABSENT OR THE PLANTING OF OPEN AREAS WHICH ARE NOT PRESENTLY
25 IN FOREST COVER.

26 [2.00] 2.01 - Agricultural Purpose. The exclusive use of
27 land for bonafide agricultural purposes, including farming,
28 dairying, pasturage, apiculture, horticulture, floriculture,
29 viticulture, animal and poultry husbandry and the necessary
30 accessory uses for packing, treating or storing producer, provided
31 that the operation of any such accessory uses shall be secondary
32 to that of primary agricultural activities.

1 [2.01] 2.02 - Alley. A right-of-way other than a street,
2 which provides service access for vehicles to the side or rear of
3 abutting properties.

4 2.03 - ANADROMOUS FISH PROPAGATION WATERS. THOSE STREAMS
5 THAT ARE TRIBUTARY TO THE CHESAPEAKE BAY WHERE SPAWNING OF
6 ANADROMOUS SPECIES OF FISH (E.G., ROCKFISH, YELLOW PERCH, WHITE
7 PERCH, SHAD, AND RIVER HERRING) OCCURS OR HAS OCCURRED. THE
8 GEOGRAPHIC LOCATION OF SUCH STREAMS HAS BEEN IDENTIFIED BY THE
9 TIDEWATER ADMINISTRATION, MARYLAND DEPARTMENT OF NATURAL
10 RESOURCES.

11 [2.04 - Commission. Shall mean the Harford County Planning
12 and Zoning Commission.]

13 [2.02] 2.04 - Arterial Highway. A street, highway, or
14 controlled access road serving or proposing to serve as a major
15 traffic way.

16 [2.03] 2.05 - Block. A group of lots with boundaries, such as
17 streets and roads, or other defined boundary lines.

18 2.06 - BUFFER. LAND AREA LEFT IN ITS NATURAL STATE OR WHICH
19 IS VEGETATED AND MANAGED TO PROTECT SIGNIFICANT/SPECIAL NATURAL
20 FEATURES FROM THE ADVERSE IMPACTS OF ADJACENT LAND USES OR
21 DEVELOPMENT.

22 2.08 - BUFFERYARD. A PORTION OF A LOT INCLUDED WITHIN
23 SETBACKS AND IMPROVED WITH PLANTINGS, EARTH BERMS, OR FENCES.

24 2.10 - BUILDING. ANY STRUCTURE HAVING A ROOF SUPPORTED BY
25 COLUMNS OR WALLS AND INTENDED FOR THE SHELTER, HOUSING, STORAGE OR
26 ENCLOSURE OF ANY INDIVIDUAL, ANIMAL, PROCESS, EQUIPMENT, GOODS OR
27 MATERIALS OF ANY KIND OR NATURE.

28 2.11 - COLONIAL NESTING WATER BIRDS. HERONS, EGRETS, TERNS,
29 AND/OR GLOSSY IBIS, WHICH FOR PURPOSES OF NESTING, CONGREGATE
30 (THAT IS, "COLONIZE") IN RELATIVELY FEW AREAS, AT WHICH TIME THE
31 REGIONAL POPULATIONS OF THESE SPECIES ARE HIGHLY SUSCEPTIBLE TO
32 LOCAL DISTURBANCES.

1 2.12 - CRITICAL AREA. ALL LANDS AND WATERS DESIGNATED ON THE
2 OVERLAY MAPS TO THE OFFICIAL ZONING MAP OF HARFORD COUNTY AS
3 INTENSELY DEVELOPED AREAS, LIMITED DEVELOPMENT AREAS, OR RESOURCE
4 CONSERVATION AREAS, PURSUANT TO MARYLAND ANNOTATED CODE, NATURAL
5 RESOURCES ARTICLE, SECTION 8-1807(c).

6 2.13 - CRITICAL AREA BUFFER. A NATURALLY VEGETATED AREA OR
7 VEGETATED AREA ESTABLISHED OR MANAGED IN ACCORDANCE WITH COMAR
8 14.15.09 TO PROTECT AQUATIC, WETLAND, SHORELINE, AND TERRESTRIAL
9 ENVIRONMENTS FROM MAN-MADE DISTURBANCES.

10 [2.05] 2.14 - Crosswalkway. A right-of-way intended
11 primarily for pedestrians, and excluding motor-propelled vehicles.

12 [2.06] 2.15 - Cul-de-sac. A short minor street having but
13 one open end by which traffic may enter and leave.

14 2.16 - DENSITY. THE NUMBER OF DWELLING UNITS PER UNIT OF
15 LAND.

16 2.17 - DEVELOPMENT. THE CONSTRUCTION, RECONSTRUCTION,
17 CONVERSION, ERECTION, ALTERATION, RELOCATION OR ENLARGEMENT OF ANY
18 BUILDING, STRUCTURE, OR UTILITY FACILITY; ANY MINING, EXCAVATION
19 OR LANDFILL, AND ANY LAND DISTURBANCE IN PREPARATION FOR ANY OF
20 THE ABOVE.

21 2.18 - DWELLING UNIT. A DWELLING DESIGNED FOR ONE (1) OR
22 MORE INDIVIDUALS WHO FUNCTION AS A SINGLE HOUSEHOLD UNIT OR
23 FAMILY.

24 [2.07] 2.19 - Easement. [A strip of land extending along a
25 property line] AN AREA across a lot for which use is to be given
26 for a specific purpose [or purposes].

27 2.20 - FLOOD PLAIN. THE CHANNEL AND A CONTIGUOUS AREA OF A
28 STREAM, RIVER OR OTHER WATER BODY WHICH HAS BEEN OR MAY REASONABLY
29 EXPECT TO BE FLOODED BY FLOOD WATERS WITH AN AVERAGE FREQUENCY OF
30 OCCURRENCE ON THE ORDER OF ONCE EVERY ONE HUNDRED (100) YEARS, AS
31 IDENTIFIED IN A FEMA FLOOD INSURANCE STUDY OR IN A MORE DETAILED
32 STUDY UNDERTAKEN OR APPROVED BY THE COUNTY.

1 2.21 - HABITAT AREAS OF LOCAL SIGNIFICANCE. AREAS WHOSE
2 GEOGRAPHIC LOCATION HAS BEEN MAPPED BY THE HARFORD COUNTY
3 DEPARTMENT OF PLANNING AND ZONING THAT HAVE BEEN DETERMINED TO BE
4 IMPORTANT TO THE COUNTY BECAUSE THE AREA CONTAINS A UNIQUE BLEND
5 OF GEOLOGICAL, HYDROLOGICAL, CLIMATOLOGICAL, OR BIOLOGICAL
6 FEATURES, AND THESE AREAS ARE CONSIDERED TO BE AMONG THE BEST
7 STATEWIDE EXAMPLES OF THEIR KIND.

8 2.22 - HIGHLY ERODIBLE SOILS. SOILS WITH A K FACTOR OF .37
9 AND A SLOPE GREATER THAN FIVE PERCENT (5%) OR SOILS WITH A K
10 FACTOR OF .32, A SLOPE GREATER THAN FIVE PERCENT (5%) AND A
11 MUWATHEL FACTOR OF 1, AS IDENTIFIED BY THE HARFORD COUNTY
12 DEPARTMENT OF PLANNING AND ZONING AND THE HARFORD COUNTY SOIL
13 CONSERVATION DISTRICT.

14 2.23 - HYDRIC SOILS. SOILS THAT ARE WET FREQUENTLY ENOUGH TO
15 PERIODICALLY PRODUCE ANAEROBIC CONDITIONS, THEREBY INFLUENCING THE
16 SPECIES COMPOSITION OR GROWTH, OR BOTH, OF PLANTS ON THOSE SOILS,
17 AS IDENTIFIED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL
18 CONSERVATION SERVICE.

19 2.24 - HYDROPHYTIC VEGETATION. THOSE PLANTS CITED IN
20 "VASCULAR PLANT SPECIES OCCURRING IN MARYLAND WETLANDS" (DAWSON
21 AND BURKE, 1985) WHICH ARE DESCRIBED AS GROWING IN WATER OR ON A
22 SUBSTRATE THAT IS AT LEAST PERIODICALLY DEFICIENT IN OXYGEN AS A
23 RESULT OF EXCESSIVE WATER CONTENT (PLANTS TYPICALLY FOUND IN WATER
24 HABITATS).

25 2.25 - IMPERVIOUS SURFACE. ANY SURFACE COVERED BY MATERIAL
26 WHICH PREVENTS THE INFILTRATION OF WATER.

27 2.26 - LANDSCAPING. THE IMPROVEMENT OF PROPERTY WITH LAWNS,
28 TREES, PLANTS AND OTHER NATURAL OR DECORATIVE FEATURES.

29 [2.08] 2.27 - Lot. A piece or parcel of land occupied or
30 intended to be occupied by a principal building and its accessory
31 buildings and uses, including all open spaces required by the
32 Zoning Ordinance, and having frontage on a road or street.

1 [2.09] 2.28 - Lot, Double Frontage. A lot extending through
2 the block from one street to another.

3 [2.10] 2.29 - Major Road Plan. The official plan of
4 highways, primary and secondary thoroughfares or parkways made and
5 adopted by the Harford County DEPARTMENT OF Planning and Zoning
6 [commission] in accordance with Article 66B of the Annotated Code
7 of Maryland, and duly recorded.

8 [2.11] 2.30 - Master Plan. The comprehensive plan (which may
9 consist of several maps, data, etc.) made and adopted by the
10 Harford County DEPARTMENT OF Planning and Zoning [Commission] and
11 duly recorded, indicating the general locations recommended for
12 major motorways, parks, and other public open spaces, public
13 building sites, routes for public utilities, and zoning districts.

14 2.31 - NATURAL HERITAGE AREA. AN AREA THAT HAS BEEN
15 DESIGNATED BY THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES
16 IN ACCORDANCE WITH COMAR 08.03.08 AS A NATURAL COMMUNITY WHICH
17 MEETS THE FOLLOWING CRITERIA: (1) CONTAINS ONE OR MORE STATE
18 DESIGNATED THREATENED OR ENDANGERED SPECIES OR SPECIES IN NEED OF
19 CONSERVATION; (2) IS A UNIQUE BLEND OF GEOLOGICAL, HYDROLOGICAL,
20 CLIMATOLOGICAL OR BIOLOGICAL FEATURES; AND (3) IS CONSIDERED TO BE
21 AMONG THE BEST STATEWIDE EXAMPLES OF ITS KIND.

22 2.32 - NON-TIDAL WETLANDS. INCLUDES ALL PALUSTRINE AQUATIC
23 BED, PALUSTRINE EMERGENT, PALUSTRINE FORESTED AND PALUSTRINE
24 SCRUB-SHRUB WETLANDS AS DEFINED BY THE UNITED STATES FISH AND
25 WILDLIFE SERVICE, EXCLUDING TIDAL WETLANDS. THESE NON-TIDAL
26 WETLANDS ARE LAND WHERE THE WATER TABLE IS USUALLY AT OR NEAR THE
27 SURFACE (I.E., PERIODICALLY SATURATED), OR AREAS WHERE THE
28 SUBSTRATE OR SOIL IS COVERED BY SHALLOW WATER AT SOME TIME DURING
29 THE GROWING SEASON. THE NON-TIDAL WETLANDS ARE FURTHER CHARAC-
30 TERIZED BY ONE OR BOTH OF THE FOLLOWING TWO ATTRIBUTES: (1) THE
31 LAND SUPPORTS PREDOMINANTLY OBLIGATE OR FACULTATIVE-WET HYDROPHYTE
32 PLANT SPECIES CITED IN THE DEPARTMENT OF NATURAL RESOURCES

1 PUBLICATION ENTITLED, "VASCULAR PLANT SPECIES OCCURRING IN
2 MARYLAND WETLANDS;" OR (2) THE SUBSTRATE IS PREDOMINANTLY HYDRIC
3 SOIL.

4 2.33 - OFFSETS. STRUCTURES OR ACTIONS THAT COMPENSATE FOR
5 UNDESIRABLE IMPACTS.

6 2.34 - OPEN SPACE. ANY AREA OF LAND OR WATER SET ASIDE,
7 DEDICATED, DESIGNED OR RESERVED FOR PUBLIC OR PRIVATE USE OR
8 ENJOYMENT, OR FOR THE USE AND ENJOYMENT OF OWNERS AND OCCUPANTS OF
9 LAND ADJOINING OR NEIGHBORING SUCH OPEN SPACE, OR FOR THE
10 PRESERVATION OF SIGNIFICANT/SPECIAL NATURAL FEATURES.

11 2.35 - OVERLAY ZONE. ANY SPECIALLY MAPPED DISTRICT,
12 INCLUDING THE AGRICULTURAL LAND PRESERVATION DISTRICT, THE
13 CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT, FLOODPLAIN
14 DISTRICT, HISTORIC DISTRICT, AND NATURAL RESOURCES DISTRICT WHICH
15 ARE SUBJECT TO SUPPLEMENTARY REGULATIONS OR REQUIREMENTS FOR
16 DEVELOPMENT.

17 2.36 - PALUSTRINE WETLANDS. ALL NON-TIDAL WETLANDS DOMINATED
18 BY TREES, SHRUBS, PERSISTENT EMERGENT PLANTS, OR EMERGENT MOSSES
19 OR LICHENS AND ALL SUCH WETLANDS THAT OCCUR IN TIDAL AREAS WHERE
20 THE SALINITY DUE TO OCEAN-DERIVED SALTS IS BELOW ONE-HALF PART PER
21 1,000 PARTS OF WATER.

22 2.37 - PRIVATE HARVESTING. THE CUTTING AND REMOVAL OF TREES
23 FOR PERSONAL, NON-COMMERCIAL USE.

24 2.38 - PROJECT APPROVAL. THE APPROVAL OF DEVELOPMENT
25 ACTIVITIES, OTHER THAN DEVELOPMENTS UNDERTAKEN BY A STATE OR LOCAL
26 GOVERNMENT AGENCY, IN THE CHESAPEAKE BAY CRITICAL AREA BY THE
27 HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING OR OTHER
28 APPROVING AGENCY OF HARFORD COUNTY. THE TERM INCLUDES APPROVAL OF
29 SUBDIVISION PLANS, PLATS AND SITE PLANS; MAPPING OF AREAS UNDER
30 FLOATING ZONE OR OVERLAY ZONE PROVISIONS; THE ISSUANCE OF
31 VARIANCES, SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS, AND THE
32 ISSUANCE OF OTHER ZONING-RELATED APPROVALS.

1 [2.12] 2.39 - Public. The word "public" means "open to
2 common use" whether or not government ownership is involved.

3 [2.13] 2.40 - Public Improvements. Any of the following:
4 street pavement, with or without curbs and gutters; alley
5 pavement; bridges and culverts; sidewalks; crosswalks; water
6 supply systems; sanitary sewers; storm drains, with appurtenant
7 construction; screen planting; street trees; street signs; or
8 other similar improvements for public use and benefit.

9 2.41 - PUBLIC WATER-ORIENTED RECREATION. SHORE-DEPENDENT
10 RECREATION FACILITIES OR ACTIVITIES PROVIDED BY PUBLIC AGENCIES
11 WHICH ARE AVAILABLE TO THE GENERAL PUBLIC.

12 2.42 - RECLAMATION. THE REASONABLE REHABILITATION OF
13 DISTURBED LAND FOR USEFUL PURPOSES, WHICH PROVIDES PROTECTION TO
14 THE NATURAL RESOURCES FOUND ON OR ADJACENT TO THE SITE, INCLUDING
15 WATERBODIES.

16 2.43 - REDEVELOPMENT. DEVELOPMENT ACTIVITY ON LAND THAT HAS
17 ALREADY BEEN DEVELOPED.

18 2.44 - REFORESTATION. THE RE-ESTABLISHMENT OF FOREST COVER
19 THROUGH THE PLANTING OF SEEDLINGS, SMALL TREES OR SHRUBS OR
20 THROUGH NATURAL REGENERATION.

21 2.45 - RESOURCE CONSERVATION AREAS. THOSE AREAS CHARAC-
22 TERIZED BY NATURE-DOMINATED ENVIRONMENTS (THAT IS, WETLANDS,
23 FORESTS, ABANDONED FIELDS) AND RESOURCE-UTILIZATION ACTIVITIES
24 (THAT IS, AGRICULTURE, FORESTRY, FISHERIES ACTIVITIES, OR
25 AQUACULTURE). SUCH AREAS SHALL HAVE AT LEAST ONE OF THE FOLLOWING
26 FEATURES:

27 a. DENSITY IS LESS THAN ONE (1) DWELLING UNIT PER FIVE (5)
28 ACRES;

29 b. DOMINANT LAND USE IS IN AGRICULTURE, WETLAND, FOREST,
30 BARREN LAND, SURFACE WATER, OR OPEN SPACE.

31 [2.14] 2.46 - Road Specification. The short title of
32 "Specifications for New County Roads, Harford County, Maryland."

1 2.47 - SELECTIVE CUTTING. THE REMOVAL OF SINGLE, SCATTERED,
2 MATURE TREES OR OTHER TREES FROM FORESTED AREAS BY PERIODIC
3 CUTTING OPERATIONS.

4 2.48 - SETBACK. A LINE WHICH IS A REQUIRED MINIMUM DISTANCE
5 FROM THE ROAD RIGHT-OF-WAY OR ANY LOT LINE THAT ESTABLISHES THE
6 AREA WITHIN WHICH PRINCIPAL BUILDINGS OR STRUCTURES MUST BE
7 ERECTED OR PLACED.

8 2.49 - SIGNIFICANTLY ERODING AREAS. THOSE SHORELINE AREAS
9 ERODING TWO (2) FEET OR MORE PER YEAR.

10 2.50 - SIGNIFICANT INDIVIDUAL TREE. TREE WITH A DBH GREATER
11 THAN THIRTY-SIX (36) INCHES, OR WHICH HAS BEEN IDENTIFIED AS A
12 STATE CHAMPION TREE.

13 2.51 - SIGNIFICANT/SPECIAL NATURAL FEATURES. AREAS TO BE
14 LEFT UNDISTURBED, INCLUDING, BUT NOT LIMITED TO, FEATURES SUCH AS
15 WATER BODIES, TIDAL AND NON-TIDAL WETLANDS, FORESTED AREAS TO BE
16 RETAINED, AND PLANT OR WILDLIFE HABITAT IDENTIFIED AS OF STATE OR
17 COUNTY IMPORTANCE.

18 2.52 - SOILS WITH SIGNIFICANT DEVELOPMENT CONSTRAINTS. HIGHLY
19 ERODIBLE SOILS, SOILS WITH SEVERE SEPTIC CONSTRAINTS, HYDRIC SOILS
20 IF LESS THEN FORTY THOUSAND (40,000) SQUARE FEET IN EXTENT AND
21 SOILS WITH HYDRIC INCLUSIONS AS IDENTIFIED IN TABLE 1 OF THE
22 CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT ORDINANCE.

23 [2.15] 2.53 - Street. The public right-of-way which provides
24 [primary] access to abutting properties.

25 [2.16] 2.54 - Street, Collector. A street which serves to
26 carry traffic to or from several primary or minor streets, and
27 connects them to other collector streets or to arterial highways,
28 and usually also serves the primary function of providing access
29 to abutting properties.

1 [2.17] 2.55 - Street, Marginal Access. A minor street,
2 parallel to and adjacent to an arterial highway, which provides
3 access to abutting properties, and eliminates multiple entrances
4 to said arterial highway.

5 [2.171] 2.56 - Stub Roads. Shall be defined generally as
6 those roads projecting from a development road, for a distance of
7 one lot depth, to the property line of an adjacent property[, and
8 which do not provide the principal or sole access to at least one
9 adjacent lot].

10 [2.18] 2.57 - Subdivider. An individual, partnership, or
11 corporation (or agent therefore) that undertakes the activities
12 covered by these regulations, particularly the drawing up of a
13 subdivision plat showing the layout of the land and the public
14 improvements involved therein. The term "Subdivider" is intended
15 to include the term "Developer," even though the personnel
16 involved in successive stages of the project may vary.

17 [2.19] 2.58 - Subdivision. The term "Subdivision" shall have
18 the following meaning:

19 a. Any division of land in which the owner or owners shall
20 create streets, roads, avenues, lanes or alleys, and lot or
21 building sites, and in which the division lines are designated on
22 a plat for the purpose of description and identification, shall be
23 deemed a Subdivision.

24 b. In addition, the term "Subdivision" shall include any
25 division of lands, by plat or by deeds containing metes and bounds
26 descriptions, in which new streets, roads, avenues, lanes or
27 alleys are created to serve interior building lots not fronting on
28 a public highway.

1 c. The division apportionment or arrangement of a lot, tract
2 or parcel of land in a manner that creates or permits two (2) or
3 more lots, tracts or parcels of land, except where the division,
4 apportionment or arrangement is made to land that is subject only
5 to a use for an agricultural purpose as defined by Section 2.00.

6 [2.20] 2.59 - Subdivision Agreement. An agreement between a
7 Subdivider and Harford County to be executed and recorded in the
8 office of the Clerk of the Circuit Court of Harford County, for
9 the purpose of permitting the recordation of a final plat prior to
10 completion and/or acceptance of a performance bond or other
11 guarantee.

12 2.60 - THREATENED OR ENDANGERED SPECIES OR SPECIES IN NEED OF
13 CONSERVATION. A PLANT OR WILDLIFE SPECIES DESIGNATED BY THE STATE
14 DEPARTMENT OF NATURAL RESOURCES IN ACCORDANCE WITH COMAR 08.03.08
15 AS WORTHY OF PROTECTION BECAUSE OF ITS RARE OR UNUSUAL OCCURRENCE
16 IN THE STATE OF MARYLAND.

17 2.61 - TIDAL WETLANDS. ANY LAND BORDERING ON OR LYING
18 BENEATH TIDAL WATERS, WHICH IS SUBJECT TO REGULAR OR PERIODIC
19 TIDAL ACTION AND SUPPORTS AQUATIC GROWTH, INCLUDING, BUT NOT
20 LIMITED TO, LANDS IDENTIFIED AS TIDAL WETLANDS ON THE MOST CURRENT
21 DEPARTMENT OF NATURAL RESOURCES TIDAL WETLANDS BOUNDARIES MAPS.

22 2.62 - TRIBUTARY STREAMS. THOSE PERENNIAL AND INTERMITTENT
23 STREAMS AS MAPPED ON THE MOST RECENT UNITED STATES GEOLOGICAL
24 SURVEY 7 1/2 MINUTE TOPOGRAPHIC QUADRANGLE MAPS (SCALE 1:24,000),
25 THE HARFORD COUNTY SOIL SURVEY, OR AS MAY BE IDENTIFIED THROUGH
26 SITE INSPECTION.

27 [2.21] 2.63 - Zoning Ordinance. The Zoning Ordinance of
28 Harford County now in effect or as thereafter amended.

Section III

Subdivision Control

3.01 - PURPOSE. THE PURPOSE OF THIS ORDINANCE IS TO ESTABLISH PROCEDURES AND STANDARDS FOR THE DEVELOPMENT AND SUBDIVISION OF LAND WITHIN HARFORD COUNTY. IT IS FURTHER DESIGNED TO PROVIDE FOR THE ORDERLY GROWTH AND DEVELOPMENT OF THE COUNTY FOR THE COORDINATION OF STREETS AND HIGHWAYS WITHIN PROPOSED SUBDIVISIONS WITH EXISTING OR PLANNED STREETS AND HIGHWAYS AND WITH OTHER PUBLIC FACILITIES, FOR THE DEDICATION OR RESERVATION OF RECREATION AND AND OTHER PUBLIC USE AREAS SERVING RESIDENTS OF THE IMMEDIATE NEIGHBORHOOD WITHIN THE SUBDIVISION AND OF RIGHTS-OF-WAY OR EASEMENTS FOR STREET AND UTILITY PURPOSES; AND FOR THE DISTRIBUTION OF POPULATION AND TRAFFIC IN A MANNER THAT WILL AVOID CONGESTION AND OVERCROWDING AND WILL CREATE CONDITIONS COMPATIBLE WITH PROTECTION OF THE PUBLIC HEALTH, SAFETY AND THE GENERAL WELFARE, WATER QUALITY, AND AREAS OF SIGNIFICANT/SPECIAL NATURAL FEATURES. THIS ORDINANCE IS DESIGNED TO FACILITATE ADEQUATE PROVISION FOR WATER, SEWERAGE, PARKS, SCHOOLS, AND PLAYGROUNDS, AND ALSO TO FACILITATE THE FURTHER RESUBDIVISION OF LARGER TRACTS INTO SMALLER PARCELS OF LAND.

[3.01] 3.02 - Subdivider Shall Prepare and Record Plat. From and after the effective date of these regulations, any owner [or proprietor] of any tract of land in Harford County who subdivides the same as herein provided, shall cause a Plat of such Subdivision to be made in accordance with the provisions set forth in these regulations and a copy of said Plat shall be recorded in the office of the Clerk of the Circuit Court of Harford County.

[3.02] 3.03 - Transfers, Sales, and Building Permits. No lot in a Subdivision or any section thereof, created after the effective date of these regulations, shall be transferred, nor shall a building permit be issued for a structure thereon, until a Final Plat of such Subdivision or any section thereof shall have

1 been recorded in accordance with these regulations [pursuant to
2 Article 66B, Section 28, of the Annotated Code of Maryland and any
3 amendment thereto].

4 Section IV

5 Requirements for the Subdivision of Land

6 In laying out a Subdivision, the Subdivider shall comply with
7 the following general principles and requirements:

8 General

9 4.00 - No part of any planned subdivision of land that will
10 be served by a community or multi-use sewerage system, as defined
11 by the State Department of Health and Mental Hygiene, will be
12 finally approved by the County if the total planned subdivision
13 will generate five thousand (5,000) gallons of average daily
14 sewage flow, unless that part of the subdivision to be recorded
15 and its respective sewerage system is in, at least, an "immediate
16 priority" sewer service area in the Harford County Master Plan for
17 Water and Sewer. A determination of the amount of average daily
18 sewage flow by the Harford County Department of Public Works shall
19 be final as to the developer for the purposes of this Section.

20 4.01 - The subdivision layout shall conform to the Master
21 Plan of Harford County, and the Zoning Ordinance of the County.

22 4.011 - COORDINATION OF SPECIAL DEVELOPMENT REGULATIONS
23 WITH SUBDIVISION APPROVAL PROCESS. SUBDIVISION PLANS SHALL BE
24 CONSISTENT WITH THE PROVISIONS OF THE HARFORD COUNTY ZONING CODE.
25 PLANS SHALL BE REVIEWED WITH REGARD TO THE SPECIFIC STANDARDS FOR
26 LOTS WITHIN A PARTICULAR ZONING DISTRICT OR OVERLAY ZONE. IN THE
27 CASE OF DEVELOPMENTS WHICH UTILIZE THE SPECIAL DEVELOPMENT OPTIONS
28 OF THE ZONING CODE, INCLUDING CONVENTIONAL WITH OPEN SPACE AND
29 PLANNED RESIDENTIAL DEVELOPMENTS, SUBDIVISION PLANS MUST ALSO MEET
30 THE DEVELOPMENT AND DESIGN STANDARDS SET FORTH IN SECTION 267-4
31 AND 267-41.1 OF THE ZONING CODE.

1 4.02 - The subdivision of land known to be subject to
2 periodic floods will not be approved.

3 4.03 - A Plat of a proposed subdivision, located in an area
4 having poor drainage or otherwise adverse physical conditions, may
5 be approved, provided the Subdivider agrees to make such
6 improvements as will, in the judgment of the [Commission] PLANNING
7 DIRECTOR , render the subdivision substantially safe and otherwise
8 acceptable for residential use, and furnishes a performance bond
9 to the County sufficient to cover the cost of such improvements as
10 estimated by the County roads engineer and the officials having
11 jurisdiction. [The Board of County Commissioners shall, in event
12 of question concerning the amount of bond required, make a final
13 decision on the amount or type bond or guarantee based on at least
14 two estimates, made by reputable contractors who are well
15 acquainted with work of this nature in this County, for the
16 improvements to be accomplished.]

17 Streets and Roads

18 4.04 - CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT. THE
19 FOLLOWING STANDARDS SHALL APPLY TO ALL SUBDIVISION OF LAND WHICH
20 LIES WITHIN THE AREA DESIGNATED ON THE HARFORD COUNTY ZONING MAP
21 AS THE CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT. ALL
22 REQUIREMENTS OF SECTION 267-41.1 OF THE HARFORD COUNTY ZONING CODE
23 SHALL BE MET.

24 a. INFORMATION REQUIRED. THE DEVELOPER SHALL SUBMIT ALL
25 INFORMATION REQUIRED BY THE DEPARTMENT OF PLANNING AND ZONING TO
26 DEMONSTRATE THAT THE REQUIREMENTS SET FORTH IN THIS SECTION AND IN
27 THE HARFORD COUNTY ZONING CODE HAVE BEEN MET. THIS INFORMATION
28 SHALL BE SUBMITTED AT THE TIME OF PRELIMINARY PLAN REVIEW.

29 b. DEVELOPMENTS SHALL BE DESIGNED TO PROTECT SIGNI-
30 FICANT/SPECIAL NATURAL FEATURES LOCATED ON OR ADJACENT TO THE
31 SITE. SUCH FEATURES INCLUDE PERENNIAL AND INTERMITTENT STREAMS,
32

1 TIDAL WATERS, TIDAL AND NON-TIDAL WETLANDS, THREATENED AND
2 ENDANGERED PLANT AND WILDLIFE HABITAT, AND OTHER PLANT AND
3 WILDLIFE HABITAT OF STATE AND COUNTY IMPORTANCE.

4 c. FOREST COVER SHALL BE RETAINED TO THE MAXIMUM EXTENT
5 POSSIBLE, AND IN PARTICULAR, THE FOREST RETENTION REQUIREMENTS OF
6 THE CHESAPEAKE BAY CRITICAL AREA DISTRICT SHALL BE MET. THE
7 RECOMMENDATIONS OF THE REPRESENTATIVE OF THE MARYLAND FOREST, PARK
8 AND WILDLIFE SERVICE REGARDING URBAN FORESTRY PRACTICES AND
9 PRESERVATION OF SIGNIFICANT INDIVIDUAL TREES SHALL BE FOLLOWED
10 WHENEVER POSSIBLE.

11 d. DEVELOPMENT SHALL BE ALLOWED ON AREAS CONTAINING SOILS
12 WITH SIGNIFICANT DEVELOPMENT CONSTRAINTS ONLY IF IT INCLUDES
13 MITIGATION MEASURES THAT ADEQUATELY ADDRESS THE IDENTIFIED
14 CONSTRAINTS AND ENSURE THAT THE PROPOSED DEVELOPMENT WILL NOT HAVE
15 SIGNIFICANT ADVERSE IMPACTS ON WATER QUALITY OR IMPORTANT PLANT,
16 FISH, OR WILDLIFE HABITAT.

17 e. DEVELOPMENT SHALL NOT BE ALLOWED ON AREAS WITH SLOPES
18 GREATER THAN FIFTEEN PERCENT (15%).

19 [4.04] 4.041 - Streets and roads shall conform to the Major
20 Road Plan of the County and to the city and town development
21 plans, which are duly recorded.

22 Section V

23 The Preliminary Subdivision Plan

24 [5.01 - Preliminary Conference. As a preliminary step the
25 Subdivider should present to the Commission a rough sketch of his
26 property to approximate scale, showing the boundaries, general
27 topography, important physical features, and other significant
28 information, as well as his ideas for the development of the
29 property. The staff of the Commission will try to assist the
30 Subdivider by furnishing information and advice, so as to expedite
31 matters for the Subdivider, save him from unnecessary expense, and
32 promote the best coordination between the plans of the Subdivider

1 and those of the County. The staff, however, will not undertake
2 to design Subdivisions or to perform other services for which a
3 qualified land planner should more properly be engaged.]

4 5.01 - SUBMISSION PROCEDURE. THE PRELIMINARY PLAN SHALL BE
5 SUBMITTED TO THE DEPARTMENT OF PLANNING AND ZONING FOR ALL
6 PROPOSED SUBDIVISIONS. THE PRELIMINARY PLAN SHALL BE COMPLETE AND
7 SHALL SHOW THE INFORMATION REQUIRED IN SECTION 5.02.

8 [5.02 - Preliminary Plan - The subdivider shall be guided in
9 the preparation of his Preliminary Plan by the provisions of
10 Section IV, and shall meet the following requirements for
11 information.

12 a. Title Information

13 1. Proposed Subdivision name; similiarity with other
14 Subdivision names in Harford County shall be avoided.

15 2. Names and addresses of Owner, Subdivider or
16 Developer, Land Planner, Surveyor and/or Engineer.

17 3. Location of Subdivision by roads or streets, election
18 district, county, and state; names of adjacent property owners or
19 adjacent subdivisions. A small location maps shall be included on
20 the plan as such a scale as to satisfactorily and recognizably
21 show the location of the property with respect to nearby existing
22 roads, villages, streams, parks, schools or churches. A separate
23 north point and scale shall be shown for the location map.

24 4. Scale of one inch to fifty feet or one inch to one
25 hundred feet depending upon size of Subdivision. If the size of
26 the plan, including borders, at the scale of one inch to one
27 hundred feet becomes greater than thirty-two inches high by
28 forty-two inches long, it shall be divided into two or more
29 sections, with clearly indicated match lines shown along the lines
30 at which they join. No one of such sections may exceed the size
31 noted above.

1 5. North Point and date.

2 b. Information as to Existing Physical Condition

3 1. Boundary lines of the proposed Subdivision, indicated
4 in heavy outline, and the acreage of the tract.

5 2. Field run or photogrammetric topographic contours,
6 referenced to U.S.G.S. Datum, where practicable, at 5 foot
7 intervals except where the average slope is less than 3 per cent,
8 in which case two (2) foot contours will be required. Contours
9 shall extend at least one hundred (100) feet beyond the Sub-
10 division boundary, and shall include contours across public roads.

11 3. Water courses, including dry water courses, important
12 individual trees, buildings, the boundary of wooded areas, bridges
13 and any other significant physical items should be shown.

14 4. Location, widths of pavement and rights-of-way, of all
15 existing streets or alleys adjoining the Subdivision, or
16 intersection any street that bounds it (those recorded but
17 unimproved shown with dashed lines); railroads and utility
18 rights-of-way, parks and other public spaces; approximately
19 locations and generalized shapes of permanent buildings (within
20 the tract or so close as to affect the design), corporation lines,
21 district lines, etc.

22 5. Information as to the minimum permissible lot size
23 determined by zoning regulations or from percolation or other data
24 by the County Health Officer.

25 6. Names of all existing streets, and the distance and
26 direction to the nearest village or cross road, if they are too
27 far away to be shown on the plan at scale.

28 7. Location and description of all existing public
29 utilities such as transmission towers, pipe lines, sewer, water,
30 storm, gas, power, or telephone lines or cables.

31 8. Present zoning of the tract and of adjoining
32 properties.

c. Information as to Proposed Development

1. Layout widths and names of proposed streets, and widths of alleys, cross-walkways and easement reservations.

2. Layout, numbering of blocks and lots, and typical approximate dimensions of proposed lots.

3. For any lots proposed to be used for residential buildings other than single-family dwellings, the approximate location and shape of each structure.

4. Parcel of land intended to be conveyed or temporarily reserved for public use, or to be reserved by a blanket covenant for the common use of all property owners in the Subdivision, and the conditions and restrictions (if any) of such conveyance or reservation.

5. Tentative profiles of each street centerline.

6. Tentative location of utilities and location of all drainage easements for storm drains and surface runoff and their connections to existing drainage channels.

7. Proposed building setback lines along all streets with dimensions from the street rights-of-way.

8. Proposed uses of property and any proposed change from existing zoning.

9. In case of apartment projects, the following:

a. Number and type of apartments in each building.

b. Total number of apartments and subtotals of each type.

c. Gross and net residential acreages.

d. Gross and net residential densities.

e. Number of parking spaces in each off-street parking area and total thereof.

1 d. Procedure. At least two weeks prior to a regularly
2 scheduled meeting of the Commission at which time action on such
3 plan is desired, three black line or similar prints of the plan
4 shall be filed with the Secretary of the Commission together with
5 an application in writing for its tentative approval.

6 In case the proposed Subdivision or any part thereof is
7 located within one (1) mile of the corporate limits of a town,
8 additional copies of the Preliminary Plan sufficient to meet the
9 requirements of the town authorities shall be filed two weeks
10 prior to a regularly scheduled meeting of the Town Planning
11 Commission. The Secretary of the Commission will transmit these
12 copies to the Town Authorities for their information and
13 appropriate action.

14 The Preliminary Plan will be checked by the staff of the
15 Commission as to its conformity with the Major Road Plan and the
16 principles, standards, and requirements herewith set forth. Copies
17 will be referred for recommendations or other actions to any other
18 municipal or County officials concerned with public improvements
19 or health requirements.

20 At the Commission meeting, the staff of the Commission
21 shall submit its findings and recommendations together with those
22 of the other officials to whom copies were referred, and the
23 Commission will tentatively approve or disapprove the Preliminary
24 Plan, or may approve it with modifications noted thereon.

25 If the provisions of these Regulations have been followed
26 by the Subdivider, the Commission shall approve the Preliminary
27 Plan. Should the Commission refuse to approve the Plan, or order
28 modifications, they shall state in writing the provisions of these
29 Regulations with which the Subdivider must comply. No plan will
30 be approved that is in conflict with the Zoning Ordinance or any
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1 part of the officially adopted Master Plan; provided that the
2 Master Plans can be accurately related to the land being
3 subdivided.

4 One copy of the Plan will be returned to the Subdivider
5 with the date and conditions of said tentative approval or
6 disapproval endorsed thereon. Similar copies will be retained in
7 the Commission's files. Approval of a preliminary plan shall be
8 valid for one (1) year. Extensions will be granted by the
9 Commission upon receipt of a request in writing, such request to
10 be received within one (1) year from date of the original approval
11 or extension of prior approvals, but not more than five (5) such
12 additional extensions will be granted without a new review and
13 approval of the Preliminary Plan by the Commission. Building
14 progress on any portion of the area covered by the Preliminary
15 Plan will automatically extend the approval and continue the
16 validity of the Preliminary Plan.]

17 5.02. INFORMATION REQUIRED. AT A MINIMUM, THE PRELIMINARY
18 PLAN SHALL INCLUDE THE FOLLOWING ITEMS. ADDITIONAL INFORMATION
19 MAY BE REQUIRED BECAUSE OF SITE SPECIFIC CONDITIONS.

20 a. TITLE INFORMATION.

21 (1) PROPOSED SUBDIVISION NAME.

22 (2) NAMES AND ADDRESSES OF OWNER, SUBDIVISION OR
23 DEVELOPER, LAND PLANNER, SURVEYOR AND/OR ENGINEER.

24 (3) LOCATION OF SUBDIVISION BY ELECTION DISTRICT, COUNTY
25 AND STATE; NAMES OF ADJACENT PROPERTY OWNERS OR ADJACENT
26 SUBDIVISIONS.

27 (4) VICINITY MAPS.

28 (5) SCALE; ONE (1) INCH TO FIFTY (50) OR ONE (1) INCH TO
29 ONE HUNDRED (100) FEET.

30 (6) NORTH POINT AND DATE.
31
32

1 (7) SUBDIVISIONS UTILIZING TWO (2) PLATS WILL UTILIZE
2 "MATCH LINES" ALONG LOT LINES; MATCH LINES WILL NOT BE PERMITTED
3 TO DIVIDE LOTS.

4 b. EXISTING PHYSICAL CONDITIONS.

5 (1) BOUNDARY LINES OF THE PROPOSED SUBDIVISION,
6 INDICATED IN HEAVY OUTLINE, AND THE ACREAGE OF THE TRACT.

7 (2) FIELD RUN OR PHOTOGRAMMETRIC TOPOGRAPHIC CONTOURS,
8 AT FIVE (5) FOOT INTERVALS, REFERENCED TO U.S.G.S. DATUM, WHERE
9 PRACTICABLE.

10 (3) SOIL TYPES ACCORDING TO THE HARFORD COUNTY SOIL
11 SURVEY (THE LOCATION OF SOILS WITH SIGNIFICANT DEVELOPMENT
12 CONSTRAINTS - HIGHLY ERODIBLE SOILS, SOILS WITH SEVERE SEPTIC
13 CONSTRAINTS, HYDRIC SOILS IF LESS THAN FORTY (40,000) SQUARE FEET
14 IN EXTENT AND SOILS WITH HYDRIC INCLUSIONS - SHALL BE IDENTIFIED).

15 (4) SLOPES OF FIFTEEN PERCENT (15%) TO TWENTY-FIVE
16 PERCENT (25%).

17 (5) SLOPES GREATER THAN TWENTY-FIVE PERCENT (25%).

18 (6) ONE HUNDRED (100) YEAR FLOOD PLAIN AS IDENTIFIED IN
19 FEMA FLOOD INSURANCE STUDY.

20 (7) PERENNIAL AND INTERMITTENT STREAMS AND TIDAL WATERS
21 LOCATED ON OR ADJACENT TO SITE.

22 (8) TIDAL WETLANDS.

23 (9) NON-TIDAL WETLANDS ON OR ADJACENT TO SITE AS
24 IDENTIFIED BY EXISTENCE OF HYDRIC SOILS OR HYDROPHYTIC VEGETATION
25 AND ANY REQUIRED BUFFERS.

26 (10) MAPPED NATURAL RESOURCES DISTRICT AND ANY REQUIRED
27 BUFFERS.

28 (11) CHESAPEAKE BAY CRITICAL AREA AND ANY REQUIRED
29 BUFFERS.

30 (12) VEGETATIVE COVER, PARTICULARLY THE LOCATION OF
31 FORESTED AREAS ON OR ADJACENT TO THE SITE AND LOCATION OF
32 SIGNIFICANT INDIVIDUAL TREES.

1 (13) PLANT AND WILDLIFE HABITAT THAT HAS BEEN IDENTIFIED
2 AS OF STATE OR COUNTY IMPORTANCE, ON OR ADJACENT TO THE SITE,
3 INCLUDING:

4 a. HABITAT OF STATE DESIGNATED ENDANGERED OR THREATENED
5 SPECIES AND SPECIES IN NEED OF CONSERVATION.

6 b. STATE DESIGNATED NATURAL HERITAGE AREAS.

7 c. ANADROMOUS FISH PROPAGATION WATERS.

8 d. SUBMERGED AQUATIC VEGETATION, OR OTHER SIGNIFICANT
9 AQUATIC AREAS.

10 e. HABITAT AREAS OF LOCAL SIGNIFICANCE.

11 f. COLONIAL WATER BIRD NESTING SITES.

12 (14) LOCATION, WIDTHS OF PAVEMENT AND RIGHTS-OF-WAY OF
13 ALL EXISTING STREETS OR ALLEYS ADJOINING THE SUBDIVISION, OR
14 INTERSECTION ANY STREET THAT BOUNDS IT; RAILROADS AND UTILITY
15 RIGHTS-OF-WAY, PARKS AND OTHER PUBLIC SPACES.

16 (15) NAMES OF ALL EXISTING STREETS.

17 (16) LOCATION AND DESCRIPTION OF ALL EXISTING PUBLIC
18 UTILITIES SUCH AS TRANSMISSION TOWERS, PIPE LINES, SEWER, WATER,
19 STORM DRAINS, GAS, POWER, OR TELEPHONE LINES OR CABLES.

20 (17) PRESENT ZONING OF THE TRACT AND OF ADJOINING
21 PROPERTIES.

22 (18) LOCATION OF ALL EXISTING STRUCTURES.

23 (19) LOCATION OF WELLS, SEPTIC SYSTEMS AND SEPTIC
24 RESERVE SYSTEMS ON OR WITHIN ONE HUNDRED (100) FEET OF SITE.

25 c. PROPOSED DEVELOPMENT.

26 (1) LAYOUT WIDTHS AND NAMES OF PROPOSED STREETS, AND
27 WIDTHS OF ALLEYS, CROSS-WALKWAYS AND EASEMENT RESERVATIONS.

28 (2) LAYOUT, NUMBERING OF BLOCKS AND LOTS, AND TYPICAL
29 APPROXIMATE DIMENSIONS OF PROPOSED LOTS.

30 (3) APPROXIMATE LOCATION AND SHAPE OF BUILDINGS.

31 (4) ACTIVE AND PASSIVE OPEN SPACE (LOCATION, ACREAGES,
32 AND PROPOSED FACILITIES).

1 (5) PROPOSED WATER AND SEWER LINES AND FACILITIES.

2 (6) PROPOSED BUILDING SETBACK LINES ALONG ALL STREETS
3 WITH DIMENSIONS FROM THE STREET RIGHTS-OF-WAY.

4 (7) PROPOSED USES OF PROPERTY.

5 (8) NUMBER OF PARKING SPACES IN EACH OFF-STREET PARKING
6 AREA AND TOTAL THEREOF.

7 (9) CONCEPTUAL GRADING PLAN, INCLUDING APPROXIMATE
8 LIMITS OF DISTURBANCE AND AREAS OF SIGNIFICANT CUT AND FILL.

9 (10) PROPOSED METHOD(S) OF STORMWATER MANAGEMENT AND
10 LOCATION OF FACILITIES/MEASURES FOR EACH DRAINAGE AREA IN
11 DEVELOPMENT, INCLUDING SUFFICIENT INFORMATION ON SOIL AND
12 HYDROLOGIC CONDITIONS SO THAT THE VIABILITY OF THE PROPOSED
13 MEASURES CAN BE ACCURATELY DETERMINED.

14 (11) DRAINAGE AND UTILITY EASEMENTS.

15 (12) DENSITY OF RESIDENTIAL DEVELOPMENT.

16 (13) AREAS OF SIGNIFICANT/SPECIAL NATURAL FEATURES TO
17 BE LEFT UNDISTURBED, INCLUDING, BUT NOT LIMITED TO FEATURES SUCH
18 AS, WATER BODIES, TIDAL AND NON-TIDAL WETLANDS, FORESTED AREAS TO
19 BE RETAINED, AND PLANT AND WILDLIFE HABITAT IDENTIFIED AS OF STATE
20 OR COUNTY IMPORTANCE.

21 d. FOREST CONSERVATION PLANS FOR CHESAPEAKE BAY CRITICAL
22 AREA PROPERTY. FOR PROJECTS IN THE CHESAPEAKE BAY CRITICAL AREA,
23 A FOREST CONSERVATION PLAN SHALL BE SUBMITTED DELINEATING THE TREE
24 SPECIES COMPOSITION OF FORESTED AREAS, INCLUDING THE AVERAGE DBH
25 OF CANOPY TREES AND DESCRIPTION OF THE UNDERSTORY AND GROUND
26 COVER; FORESTED AREAS TO BE RETAINED TO ADDRESS CLEARING
27 RESTRICTIONS IN THE CRITICAL AREA AND TO PRESERVE SIGNIFICANT
28 PLANT AND WILDLIFE HABITAT AND TO MAINTAIN WILDLIFE CORRIDORS; AND
29 PROPOSED MEASURES FOR AFFORESTATION, IF REQUIRED.
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1 5.03. APPROVAL PROCEDURE.

2 (1) THE DEVELOPMENT ADVISORY COMMISSION (DAC) IS
3 ESTABLISHED TO ADVISE THE DIRECTOR OF PLANNING AND ZONING
4 REGARDING MAJOR SUBDIVISIONS AND OTHER LARGE-SCALE DEVELOPMENTS.
5 REPRESENTATIVES FROM COUNTY AND STATE AGENCIES SHALL BE MEMBERS OF
6 THE DEVELOPMENT ADVISORY COMMITTEE. MEMBERSHIP SHALL INCLUDE, BUT
7 NOT BE LIMITED TO:

- 8 (a) DEPARTMENT OF PLANNING AND ZONING.
9 (b) DEPARTMENT OF PUBLIC WORKS.
10 (c) HEALTH DEPARTMENT.
11 (d) DEPARTMENT OF PARKS AND RECREATION.
12 (e) SOIL CONSERVATION DISTRICT.
13 (f) MARYLAND FOREST, PARK AND WILDLIFE SERVICE.
14 (g) BOARD OF EDUCATION.
15 (h) STATE HIGHWAY ADMINISTRATION.
16 (i) FIRE AND AMBULANCE CHIEFS ASSOCIATION.
17 (j) PUBLIC UTILITY COMPANIES.

18 THE DEVELOPMENT ADVISORY COMMITTEE SHALL ADOPT BYLAWS TO
19 FACILITATE THE REVIEW PROCESS. MEETINGS OF THE DEVELOPMENT
20 ADVISORY COMMITTEE SHALL BE OPEN TO THE GENERAL PUBLIC.

21 (2) PRELIMINARY PLANS FOR MAJOR SUBDIVISIONS AND
22 COMMERCIAL/INDUSTRIAL SUBDIVISIONS SHALL BE DISTRIBUTED TO THE
23 MEMBERS OF THE DEVELOPMENT ADVISORY COMMITTEE FOR REVIEW. COMMENTS
24 REGARDING THE PLANS SHALL BE PROVIDED TO THE DEPARTMENT OF
25 PLANNING AND ZONING IN WRITING AND DISCUSSED AT THE DEVELOPMENT
26 ADVISORY COMMITTEE MEETING.

27 (3) APPROVAL OF THE PRELIMINARY PLAN SHALL BE SET
28 FORTH IN A LETTER FROM THE DEPARTMENT OF PLANNING AND ZONING. THIS
29 LETTER MAY INCLUDE SUCH CONDITIONS AS ARE NECESSARY TO MEET THE
30 STANDARDS OF THE ZONING CODE AND SUBDIVISION REGULATIONS, AND MUST
31 BE COUNTERSIGNED BY THE DEVELOPER AND RETURNED TO THE DEPARTMENT
32 OF PLANNING AND ZONING WITHIN FORTY-FIVE (45) DAYS.

1 (4) TENURE OF PRELIMINARY PLANS. PRELIMINARY PLANS
2 SHALL BE VALID FOR ONE (1) YEAR. EXTENSIONS MAY BE APPROVED UPON
3 RECEIPT OF A REQUEST IN WRITING, WITH SUCH REQUEST TO BE RECEIVED
4 WITHIN THIRTY (30) DAYS PRIOR TO THE ONE (1) YEAR FROM DATE OF THE
5 ORIGINAL APPROVAL OR EXTENSION OR PRIOR APPROVALS. NO MORE THAN
6 FIVE (5) SUCH ADDITIONAL EXTENSIONS WILL BE GRANTED WITHOUT A NEW
7 REVIEW AND APPROVAL OF THE PRELIMINARY PLAN. RECORDATION OF LOTS
8 ON ANY PORTION OF THE AREA COVERED BY THE PRELIMINARY PLAN WILL
9 AUTOMATICALLY EXTEND THE APPROVAL AND CONTINUE THE VALIDITY OF THE
10 PRELIMINARY PLAN ON THE UNRECORDED PORTION FOR AN ADDITIONAL YEAR.

11 Section VI

12 The Final Subdivision Plat

13 The Final Plat of a Subdivision shall consist of the Final
14 Plat intended for record, with the supporting detailed plans and
15 data required by Section IV, setting forth the requirements for
16 the subdivision of land, and incorporating those changes or
17 additions lawfully ordered by the Commission in its approval of
18 the Preliminary Plan. The Final Plat may include all or any
19 portion of the area covered by the Preliminary Plan.

20 6.01 - The Final Plat shall conform to the following
21 requirements:

22 d. It shall show the following graphic information:

23 (13) NATURAL RESOURCES DISTRICT BOUNDARY, INCLUDING ANY
24 REQUIRED BUFFERS AND AREAS OF SIGNIFICANT/SPECIAL NATURAL
25 FEATURES TO BE LEFT UNDISTURBED.

26 (14) CHESAPEAKE BAY CRITICAL AREA BOUNDARY, INCLUDING
27 REQUIRED BUFFERS, AND AREAS OF SIGNIFICANT/SPECIAL NATURAL
28 FEATURES TO BE LEFT UNDISTURBED.

29 (15) ONE HUNDRED (100) YEAR FLOODPLAIN EASEMENTS.

30 SIGNATURE BLOCK. SPACES FOR SIGNATURES OF FOLLOWING
31 COUNTY AGENCIES SHALL BE SHOWN ON THE FINAL PLAT:
32

- 1 (a) STATE HEALTH DEPARTMENT.
2 (b) DIRECTOR OF PARKS AND RECREATION.
3 (c) DIRECTOR OF PUBLIC WORKS.
4 (d) DIRECTOR OF PLANNING AND ZONING.
5 (e) COUNTY ATTORNEY.
6 (f) COUNTY EXECUTIVE.
7 (g) DIRECTOR OF ADMINISTRATION.

8 [6.05 - The Subdivider shall file with the Commission a
9 minimum of nine (9) durable black line or blue line prints of the
10 Final Plat, one of which shall be on translucent tracing cloth
11 capable of being reproduced by white print process, and to which
12 shall be affixed the seal of the Clerk of the Court. The Plat
13 shall conform in every respect with the requirements specified in
14 Section VI of these regulations, and shall be submitted together
15 with an application in writing for the approval thereof.]

16 6.05 - PROCESSING OF FINAL PLAT. THE DEPARTMENT OF PLANNING
17 AND ZONING SHALL ROUTE THE FINAL PLAT TO ALL APPROPRIATE AGENCIES
18 FOR REVIEW AND SIGNATURE. UPON SIGNATURE BY THE COUNTY EXECUTIVE,
19 THE PLAT SHALL BE TAKEN TO THE HARFORD COUNTY LAND RECORDS FOR
20 RECORDATION BY THE ENGINEER OR AUTHORIZED PARTY ALONG WITH THE
21 APPROPRIATE AGREEMENTS AND DOCUMENTS.

22 Section 2. And Be It Further Enacted that this act is hereby
23 declared to be an Emergency Act, necessary for the preservation of
24 wildlife in Harford County, and this law shall take effect on the
25 date it becomes law.

26 EFFECTIVE: June 24, 1988

27 *The Secretary of the Council does hereby*
28 *certify that fifteen (15) copies of this Bill*
29 *are immediately available for distribution to*
30 *the public and the press.*

31 *Doris Poulsen*, Secretary
32 *df*

BY THE COUNCIL

BILL NO. 88-25

Read the third time.

Passed LSD 88-19, June 14, 1988

Failed of Passage

By Order

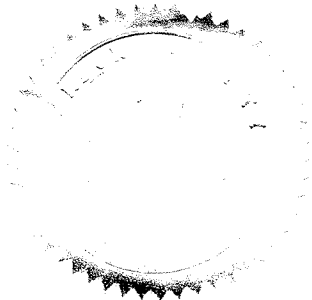
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 15th day of June, 1988
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



Georgia Hodgeson, acting
County Executive
Date 6/24/88

BY THE COUNCIL

This Bill, (No. 88-25), having been approved by the Executive
and returned to the Council, becomes law on June 24, 1988.

Doris Poulsen, Secretary
by

EFFECTIVE DATE: June 24, 1988